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STAFF REPORT

Date: October 19, 2023

To: TRPA Hearings Officer

From: TRPA Staff

Subject: The Village Church - Temporary Use (Schools – Kindergarten through Secondary)

736 McCourry Boulevard, Incline Village, Washoe County, Nevada

Assessor's Parcel Number 124-061-19; TRPA File Number ERSP2023-1157

Proposed Action:

Hearings Officer action on the proposed project and related findings based on this staff summary and the draft permit (Attachment A).

Staff Recommendation:

Staff recommends the Hearings Officer make the required findings and approve the project subject to the special conditions in the draft permit.

Project Description:

The Village Church in Incline Village, NV has operated a Daycare and Preschool for many years. The church is now proposing to supplement the existing uses by offering elementary school and early middle school education as part of the "Village Christian Academy." The school will operate five days per week. The combined uses will utilize the classroom space at the Village Church on a temporary basis.

The current Washoe County permit allows for up to 50 children/students at the daycare/preschool. The proposed permit would allow for the capacity to expand to a total of 80 children/students, in a combination of the current daycare/preschool uses as well as the proposed "School – kindergarten through secondary" uses. The school and daycare will operate from 7:45 AM until 6:00 PM five days per week during the school year. School-related events shall not take place during times that conflict with the Village Church activities. No changes are proposed to the structure. Parking for the project will be accommodated with the existing onsite parking.

The current proposal is to allow the Village Christian Academy to operate as a temporary use for a sixmonth period, with an option to extend for one additional second six-month period, which will allow the school to operate for one full school year.

Subsequent approvals allowing the use to continue operating on a temporary basis will not be granted.

Site Description:

The proposed location is owned by the Village Church, located at 736 McCourry Boulevard in Incline Village, Nevada. The site is bordered on the north by Mt. Rose Highway, to the south by McCourry Boulevard and to the east by residential properties. The parcel is just over four acres in size. The only

access to the site is via a driveway onto McCourry Boulevard. The parking lot is laid out in such a way that allows for circulation within the parcel.

Physical improvements are not currently proposed. The proposed project will utilize the existing onsite parking spaces.

Although no physical improvements are proposed at either location, all activity will take place in areas verified as Bailey Land Capability Class 4. The parcel has been certified for Best Management Practices (BMPs) (Certificate #10951; updated February 18, 2020).

Issues:

"Daycare Centers/Preschools" are permissible as a special use in the "Wood Creek Regulatory Zone." "Schools – kindergarten through secondary" are not currently listed as a permissible use in the Wood Creek Regulatory Zone. TRPA Code Section 22.4 allows for uses not listed as permissible to be considered as a temporary use and shall be reviewed as a special use. The proposed project involves a special use determination and therefore requires Hearing Officer review in accordance with Chapter 2, Subsection 2.2.2.a of the TRPA Code. All other issues are discussed in the staff analysis below.

Staff Analysis:

- A. <u>Environmental Documentation:</u> TRPA staff completed the Initial Environmental Checklist (IEC) and "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 4, Subsection 4.3 of the TRPA Code of Ordinances. All responses contained on said checklists indicate compliance with the environmental threshold carrying capacities and TRPA staff recommends the Hearings Officer make a Finding of No Significant Effect. A copy of the completed checklists will be made available at the Hearings Officer hearing and at TRPA.
- B. <u>Plan Area:</u> The proposed project location is located within Washoe County's Tahoe Area Plan, in the "Woodcreek Regulatory Zone." "Daycare Centers/Preschools" are permissible as a special use. "Schools kindergarten through secondary" are not currently listed as a permissible use in the Wood Creek Regulatory Zone. TRPA Code Section 22.4 allows for uses not listed as permissible to be considered as a temporary use and shall be reviewed as a special use.
 - Washoe County is currently pursuing an Area Plan amendment to add "Schools kindergarten through secondary" as permissible within the Woodcreek Regulatory Zone. If the change is approved, the applicant can pursue having the school use approved on a permanent basis.
 - If the Area Plan amendment (adding Schools as a permissible use) is not approved, subsequent approvals allowing the use to continue operating on a temporary basis will not be granted.
- C. <u>Land Coverage</u>: The project will not result in the creation of additional coverage, nor will it result in the relocation of coverage. Although no changes to coverage are proposed with this project, all proposed activity will take place in areas verified as Bailey Land Capability Class 4.
- D. Height: No physical changes to structures are proposed with this project.
- E. <u>Scenic Quality</u>: Although this location is visible from Nevada State Route 431 (TRPA Scenic Travel Route Unit 23, Mount Rose Highway), no physical changes are proposed as a part of this project. Therefore, the project will not affect scenic quality along this travel route.

- F. <u>Traffic</u>: The Project Impact Assessment (PIA) tool shows was run for this project in this location. The PIA tool show that this project "screens," which means that it would not require additional Vehicle Miles Travelled (VMT). Pursuant to the TRPA Code, projects approved on a temporary basis are not subject to mitigation fee requirements. No additional mitigation will be required for this project.
- G. <u>Parking</u>: Parking associated with the proposed project will be provided onsite and accommodated with the existing parking spaces. The daycare and school uses combined would require 37 parking spaces. The existing church parking lot has 65 parking spaces available onsite. The school uses will not overlap with the church activities.
- H. <u>Required Findings</u>: The following is a list of the required findings as set forth in Chapters 4 and 21 of the TRPA Code of Ordinances. Following each finding, agency staff has summarized the evidence on which the finding can be made.

1. <u>Chapter 4 – Required Findings</u>:

(a) The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.

The project is located within Washoe County's Tahoe Area Plan (Wood Creek Regulatory Zone). The proposed use of this site for a daycare center and school will be utilizing an existing structure. The proposed temporary use is consistent with the requirements of the Regional Plan.

(b) The project will not cause the environmental threshold carrying capacities to be exceeded.

TRPA staff has completed the "Article V(g) Findings" in accordance with Section 4.4.2 of the TRPA Code of Ordinances and incorporates the checklist into this analysis. All responses contained in the project indicate compliance with the environmental threshold carrying capacities. In addition, the applicant has completed an Initial Environmental Checklist (IEC), which is hereby incorporated into this analysis. Staff has concluded that the project will not have a significant effect on the environment. A copy of the completed checklist and IEC will be made available on the TRPA website, and through the Parcel Tracker.

(c) Wherever federal, state, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TPRA Compact, the project meets or exceeds such standards.

The project, as conditioned, will not have an adverse impact on applicable air and water quality standards for the Region. The project is proposed as a Temporary Use and does not include any physical changes to the site. Additional vehicle trips will be generated at the project location. The project screens for the TRPA Mobility Mitigation requirement related to regional daily Vehicle Miles Travelled (VMT).

2. <u>Chapter 21 – Special Use Findings:</u>

(a) The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The nature of the proposed project is consistent with the uses within the Area Plan. The existing site currently houses the Village Church, as well as a preschool and daycare that can currently accommodate 50 children/students. Churches and Daycare Centers are currently permissible as special uses in the Area Plan. There is another church with similar uses less than one-half mile from the proposed location. There is a County Sheriff and Maintenance facility approximately three-quarters of a mile from the proposed location. Other than the church and public service uses, all other surrounding land uses are residential. This location is on the edge of the Wood Creek Regulatory Zone, which is bordered by the Mount Rose Highway.

(b) The project to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of surrounding property owners.

The proposed project does not include any physical changes. The proposed use will generate additional daytime vehicle traffic at the proposed location. The VMT Project Impact Assessment (PIA) tool shows that the project "screens" for the mobility mitigation requirements. No additional VMT mitigation is required with the project. Given the project's location the edge of the Wood Creek Regulatory Zone, with direct access to Mount Rose Highway, the proposed use will not be injurious or disturbing to the health, safety, enjoyment of property or general welfare of persons or property in the neighborhood.

(c) The project, to which the use pertains, will not change the character of the neighborhood or detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The use of this site for additional school uses will not change the character of the neighborhood. The project is located within "Wood Creek Regulatory Zone" within the Washoe County Tahoe Area Plan. The proposed uses are being considered as a special use. The Village Church already exists, including the operation of an existing daycare and preschool. The proposed project is to utilize the existing classroom space as classrooms for the Village Christian Academy.

Contact Information:

For questions regarding this project please contact Bridget Cornell, TRPA Current Planning, by telephone at (775) 589-5218 or via email to bcornell@trpa.gov. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA

website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:

- A. Draft Permit
- B. Project Plans

Attachment A Draft Permit

APN 124-061-19 FILE NO. ERSP2023-1157

Security Posted (1): Amount \$ 2,00	00.00 Type:	Paid	Receipt No			
Security Administrative Fee (1):	Amount \$	Paid	Receipt No.			
Notes: (1) See Special Condition 3.E.,	below.					
Required plans determined to be in conformance with approval: Date:						
TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:						
TRPA Executive Director/Designee		Date				

SPECIAL CONDITIONS

1. This permit specifically authorizes the temporary use of the Village Church in Incline Village, NV to house a school for The Village Christian Academy. The proposed school use will be in addition to the daycare and preschool that already exist on the property. This permit will allow "Schools – kindergarten through secondary" to operate on a temporary basis, accommodating Kindergarten through Fifth Grade. The current enrollment of daycare and preschool is approximately 30 students/children. This temporary permit will allow a combined enrollment of 85 children/students total. The daycare and school will operate from 7:45 AM until 6:00 PM five days per week during the school year. School related events shall not take place during times that conflict with the Village Church activities. No changes are proposed to the structure. The proposed school will utilize the existing classroom space within the church structure. Parking for the project will be accommodated with the existing parking spaces on site.

This site has been certified for Best Management Practices (BMPs). (Certificate #10951; updated February 18, 2020).

The current proposal is to allow the school to operate as a temporary use for a six-month period, with an option to extend for one additional second six-month period, which will allow the school to operate for one full school year. Subsequent approvals allowing the use to continue operating on a temporary basis will not be granted.

- 2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
- 3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

A. Site Plan:

- (1) Please identify on the site plan any outdoor space that will be used for the purpose of Village Christian Academy school education.
- (2) Please identify on the site plan where students will be dropped off each school day. If the school is proposing a particular circulation pattern, please identify the proposed circulation pattern on the site plan.
- (3) Please identify which parking spaces will be designated for use by the school.
- (4) Please identify where an enclosed garbage dumpster will be provided for use by the school.
- B. Please provide a floor plan that shows what portions of the internal space will be used by the school.
- C. Please provide a list of outdoor activities that may take place outside the structure, within the project area, as part of the proposed temporary use. Please identify where on the property these activities may occur.
- D. If a temporary sign is proposed, please submit a temporary sign plan for review and approval. Temporary Sign Plan shall include all temporary signage to be placed onsite and shall comply with TRPA Code of Ordinances.
- E. The security for this proposed project will be \$2,000.00. Security shall be released upon completion of the project, and satisfaction of all permit conditions. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and the applicable security administration fee (currently \$223).
- F. The permittee shall submit final plans to TRPA electronically, incorporating the changes outlined above.
- 4. If any complaints are brough to the attention of the applicant or to TRPA while the school is in operation, these complaints shall be documented and submitted in writing to TRPA within seven calendar days of the complaint. Permittee shall explain in writing how these complaints were addressed, and any changes that were made to the project as a result.
- 5. The permit expiration may be extended by one six-month period pursuant to Section 22.5 of the Code of Ordinances if a request to extend the permit is received in writing prior to the permit expiration date. This permit does not authorize the permanent use or placement of structures. A separate permit for a permanent use is required if the permittee proposes to continue the use beyond the permit expiration date. The granting of one six-month extension is at the discretion of TRPA and will be evaluated based on the permittee's compliance with permit conditions, adherence to proposed operation plan and compatibility with surrounding land uses.
- 6. Parking is limited to the paved, marked spaces onsite.
- 7. All temporary structures and materials shall be removed prior to expiration date.

- 8. Any change to the temporary use requires approval of a TRPA plan revision permit prior to changes being made to any element of the project.
- 9. This approval is based on the Permittee's representation that all plans and information contained in the subject application and associated materials are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
- 10. TRPA reserves the right to amend any portion of this permit or construction operation while in progress if it is determined that the project construction is causing significant adverse effects.
- 11. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board (including individual members), its Planning Commission (including individual members), its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, administrative appeal, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

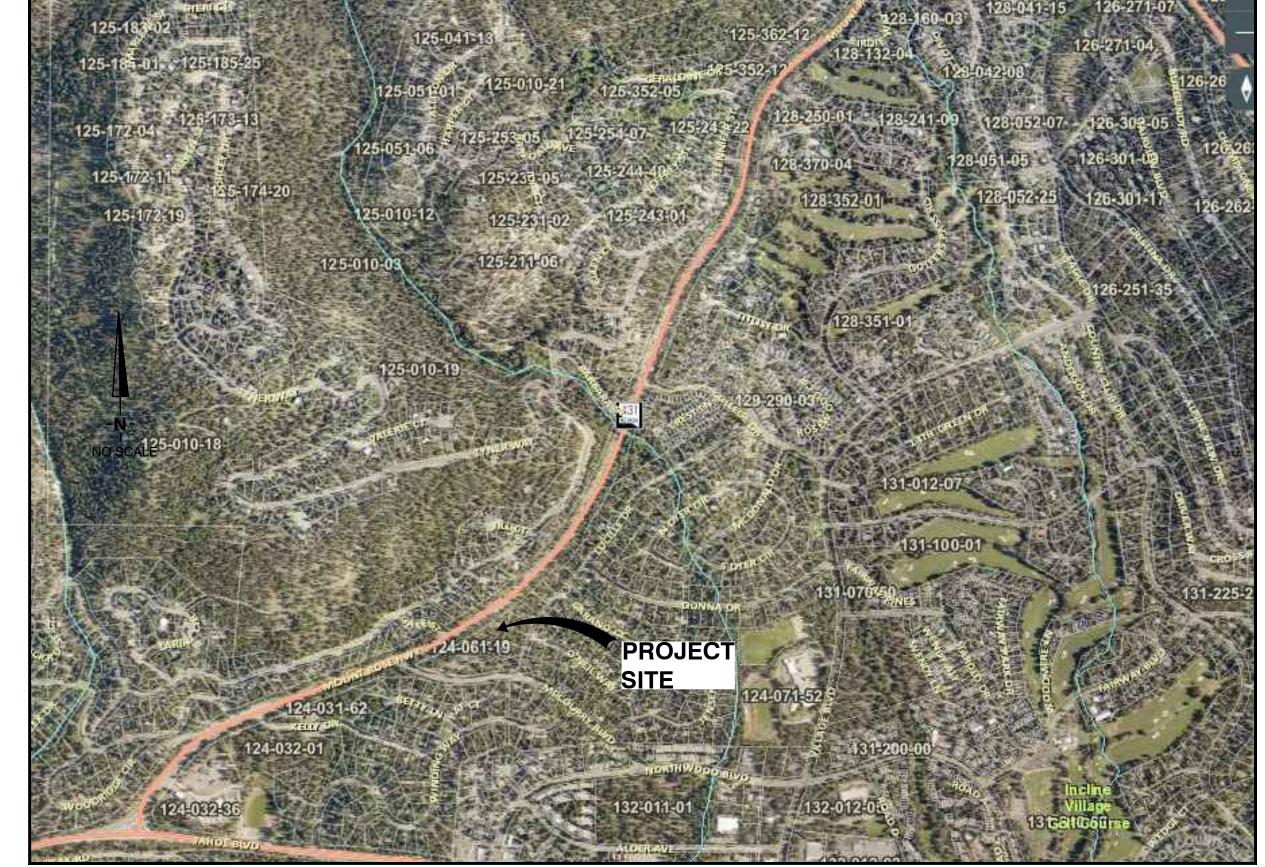
Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over their settlement, compromise or other disposition. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

END OF PERMIT

Attachment B Project Plans

THE VILLAGE CHURCH REVISED SPECIAL USE PERMIT SITE PLAN

736 McCOURRY BLVD INCLINE VILLAGE, NEVADA APN 124-061-19



LOCATED WITHIN SECTION 15, T.16N., R.18E., M.D.M.

VICINITY MAP NOT TO SCALE

LEGEND

<u> </u>	FINISH FLOOR		EXISTING OVERHEAD ELECTRIC
TP	TOP OF PAVING	——Е——Е—	EXISTING UNDERGROUND ELECTRIC
TC	TOP CONCRETE	——Е———Е——	PROPOSED UNDERGROUND ELECTRIC
TBC	TOP BACK OF CURB	—тт	- EXISTING TELEPHONE
FL	FLOWLINE	——т——т—	- PROPOSED TELEPHONE
IE	INVERT ELEVATION	⊙ ssco	PROPOSED SANITARY SEWER CLEANOUT
TW	TOP OF RETAINING WALL	SDMH	PROPOSED STORM DRAIN MANHOLE
BW	BOTTOM OF RETAINING WALL	DI	PROPOSED DROP INLET
4768	EXISTING GROUND CONTOUR	₩ FH	EXISTING FIRE HYDRANT
4768	FINISH GRADE CONTOUR	₩ FH	PROPOSED FIRE HYDRANT
w	EXISTING WATER	O YD	PROPOSED YARD HYDRANT
W	PROPOSED WATER	–□- BFP	BACKFLOW PREVENTION
—— FW ——	PROPOSED FIRE SPRINKLER SYSTEM WATER	PIV	POST INDICATOR VALVE
S	EXISTING SANITARY SEWER	GB	GRADE BREAK
——————————————————————————————————————	PROPOSED SANITARY SEWER	<u>wм</u>	PROPOSED WATER METER
	EXISTING STORM DRAIN		REDUCER
	PROPOSED STORM DRAIN		PROPOSED FLOWLINE
G	EXISTING GAS	0	PROPOSED SANITARY SEWER MANHOLE
G	PROPOSED GAS		
\sim	EXISTING SANITARY SEWER MANHOLE		PROPOSED AC PAVEMENT
	EXISTING EDGE OF PAVEMENT	4	PROPOSED PCC PAVEMENT

SHEET INDEX

EX SITE PLAN

ENGINEER

775.883.1600

RESOURCE CONCEPTS, INC.

CONTACT: DAVID HAEN, P.E.

CARSON CITY, NEVADA 89703

340 NORTH MINNESOTA STREET

SIGNATURES

OWNER

THE VILLAGE CHURCH

CONTACT: TIM GILBERT

FACILITY MANAGER

775.745.3931

736 McCOURRY BLVD

INCLINE VILLAGE, NV 89451

CITY ENGINEER DATE

PROJECT DATA

ASSESSOR'S PARCEL NUMBER: 124-061-19

TOTAL SITE AREA: 4.090 ACRES (178,160.4 S.F.)

PARKING SPACES:

MASTER PLAN DESIGNATION: INCLINE VILLAGE

TAEQ/TA_WC **CURRENT ZONING:**

FEMA FLOOD HAZARD ZONE: X (UNSHADED) 32031C3325G

Know what's below.

Call before you dig.

AGENCY REVIEW SET

ABBREVIATIONS

BOULEVARD

BENCH MARK BACK OF CURB

BUTTERFLY VALVE

BACK OF SIDEWALK

CHORD OF CURVE

CURB AND GUTTER COMBINATION AIR VALVE

CATCH BASIN

CAST IRON CIRCLE

CENTERLINE

CLEAN OUT

CONCRETE

CONSTRUCT

CONCRETE PIPE

CORNER

COURT

CENTER

CULVERT

CHECK VALVE

CUBIC YARDS

DOC NO DOCUMENT NUMBER

DIAMETER

DRIVEWAY

DRAWING

ELECTRIC

ECC RED ECCENTRIC REDUCER

EXISTING

FINISH GRADE

FIRE HYDRANT

FINISH

FLANGE

FOUND

GAUGE

FLOWLINE

FORCE MAIN

FEET/FOOT

FIRE WATER

GRADE BREAK

GATE VALVE

GALVANIZED

GROUND

GRD

EACH EASEMENT **END CURVE**

EL, ELEV ELEVATION

DRIVE

DROP INLET

DUCTILE IRON PIPE

DOMESTIC WATER

END CURVE RETURN

EDGE OF PAVEMENT

END VERTICAL CURVE

FLANGED COUPLING ADAPTOR FIRE DEPARTMENT CONNECTION

COMPACT

CONST

COR

CULV

DRWY

DWG

CLEAR

BEGIN VERTICAL CURVE

CORRUGATED METAL ARCHED PIPE

CORRUGATED METAL PIPE

MANHOLE MAXIMUM

MINIMUM

MONUMENT

ON CENTER

ORIGINAL

PULL BOX

POLYETHYLENE

PROPERTY LINE

POWER POLE

PAVEMENT

REDUCER RIGHT-OF-WAY

SQUARE FEET

STORM DRAIN

SPECIFICATIONS

SANITARY SEWER

STORM DRAIN MANHOLE

SIERRA PACIFIC POWER COMPANY

SANITARY SEWER CLEAN OUT SANITARY SEWER MANHOLE

SOUTHWEST GAS CORPORATION

SCHEDULE

STATION

STANDARD

TANGENT

TOP OF BANK

TELEPHONE

TYPICAL

VERTICAL

WATER

UTILITY

TOP BACK OF CURB

VERTICAL CURVE

VALLEY GUTTER

WATER METER

WATER VALVE

WELDED WIRE FENCE

SLOPE

RADIUS

OS&Y

R/W

STA

STD

TB

TYP

VG

VERT

NUMBER NOT TO SCALE

MANUFACTURER

MECHANICAL JOINT

OUTSIDE DIAMETER

ORIGINAL GROUND

OVERHEAD ELECTRIC

OPEN STEM & YOKE VALVE

POINT OF INTERSECTION

POST INDICATOR VALVE

POINT OF REVERSE CURVE

PUBLIC UTILITY EASEMENT

REINFORCED CONCRETE PIPE

RESTRAINED FLANGE COUPLING ADAPTOR

POUNDS PER SQUARE INCH

PORTLAND CONCRETE CEMENT

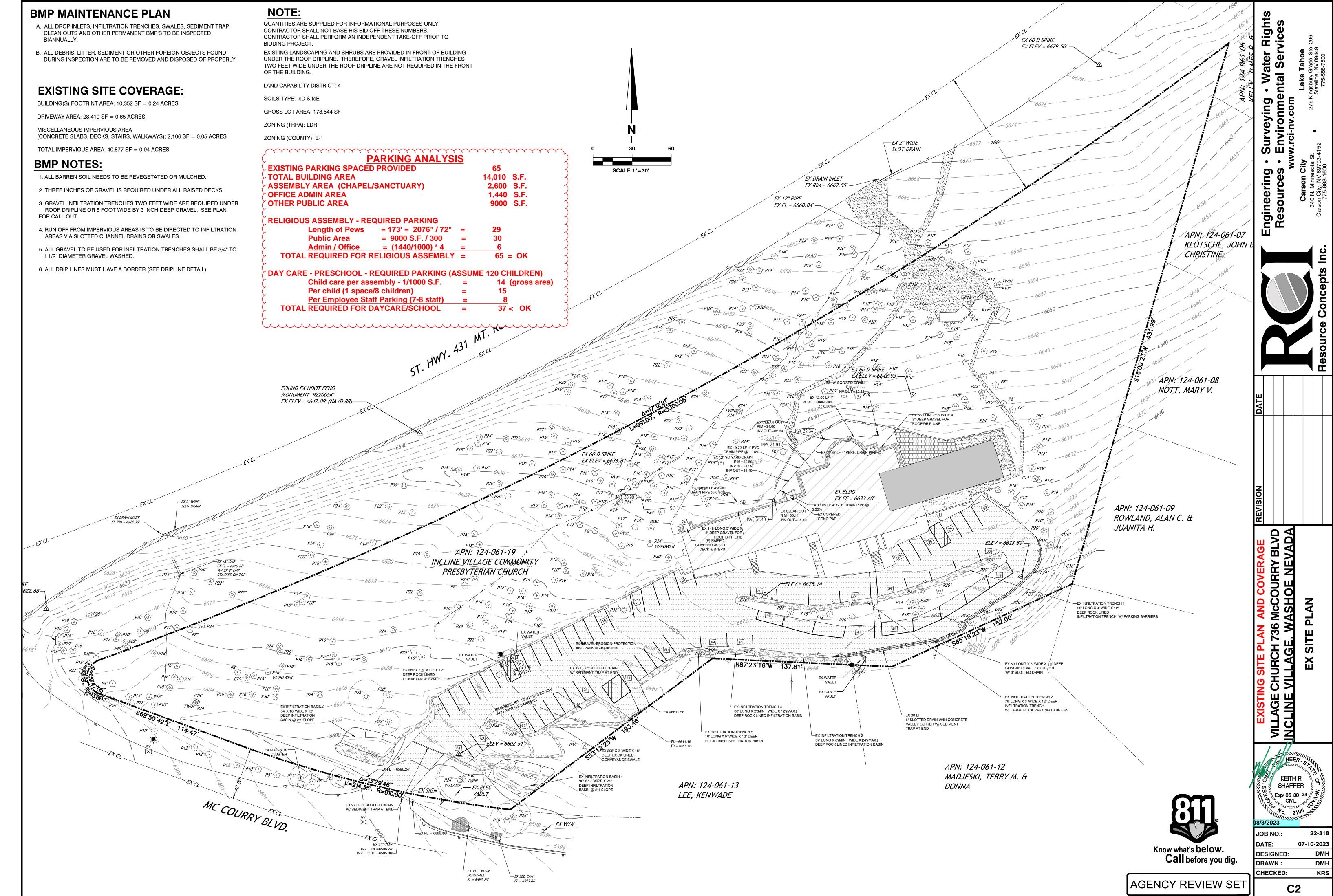
NEVADA DEPARTMENT OF TRANSPORTATION

DATE: 07-10-2023 DESIGNED: DRAWN: HECKED:

22-318

JOB NO.:

AGENDA ITEM NO. V. A.



AGENDA ITEM NO. V. A.